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UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

| FUCHUN CHANG, individually and on behalf of all others similarly situated, |) Case No: 3:13-cv-05785-JST |
|--|---|
| Plaintiff, | CLASS ACTION STIPULATION AND [PROPOSED] ORDER TO CONTINUE HEARING AND |
| VS. FLAGSTAR BANK FSB, LEXINGTON INSURANCE COMPANY, and DOES 1-50 | ORDER TO CONTINUE HEARING AND SETTING BRIEFING SCHEDULE ON DEFENDANTS' MOTIONS TO DISMISS |
| Defendants. |) Date: March 13, 2014) Time: 2:00 p.m.) Location: Courtroom 9 (19th Floor) |
| |))) Honorable Jon S. Tigar) |

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Plaintiff Fuchun Chang ("Plaintiff"), Defendant Flagstar Bank FSB ("Flagstar"), and Defendant Lexington Insurance Company ("Lexington") (collectively, "the Parties"), hereby stipulate and agree to the following:

WHEREAS, Flagstar filed a Motion to Dismiss Plaintiff's Complaint on February 4, 2014 (ECF Docket # 23);

WHEREAS, Lexington filed a Motion to Dismiss Plaintiff's Complaint on February 4, 2014 (ECF Docket # 25);

WHEREAS, Defendants' Motions are both set to be heard on March 13, 2014 at 2:00 p.m. in Courtroom 9; and

WHEREAS, the Parties agree to have the Motions heard on April 10, 2014 at 2:00 p.m., and to the following briefing schedule:

Plaintiff shall file and serve his Oppositions to the Motions by March 18, 2014; Defendants shall file and serve their Replies by April 1, 2014.

IT IS SO STIPULATED.

Dated: February 10, 2014

FUCHUN CHANG

/s/ Christian Schreiber By: Christian Schreiber

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LEXINGTON INSURANCE COMPANY

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FLAGSTAR BANKS FSB

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ORDER

Having read the Stipulation of the Parties, and good cause appearing therefor, the Court adopts the Stipulation as the Order of the Court.

Plaintiffs' Oppositions shall be filed and served by March 18, 2014 and Defendants' March 25, 2014.

Replies shall be filed and served by April 1, 2014. The hearing on Defendants' Motions will be

on April 10, 2014, at 2 p.m.

IT IS SO ORDERED.

Date: <u>February 18, 2014</u>

SIGNATURE ATTESTATION

I am the ECF User whose identification and password are being used to file the foregoing Stipulation and [Proposed] Order to Continue Hearing And Response To Defendants' Motions to Dismiss. In compliance with General Order 45.X.B., I hereby attest that the signatory has concurred in this filing.

Dated: February 10, 2014 CHAVEZ & GERTLER LLP

BONNETT, FAIRBOURN, FRIEDMAN & BALINT, P.C.

By: /s/ Christian Schreiber

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